

Docket No.  
C0632-991120

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**DIAGNOSTIC SYSTEM AND METHOD FOR PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING, AND READING SKILL TESTING**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International

Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
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(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

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(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Barry N. Young (Reg. No. 27,774); Timothy W. Lohse (Reg. No. 35,255); David F. Kleinsmith (Reg. No. 40,050); Stephen E. Reiter (Reg. No. 31,192); Darlene W. Hayes (Reg. No. 33,899); Wayne P. Sobon (Reg. No. 32,438); Robroy R. Fawcett (Reg. No. 35,133); Steven R. Sprinkle (Reg. No. 40,825); William N. Hulsey III (Reg. No. 33,402); Ervin Johnston (Reg. No. 20,190); Terrance A. Meador (Reg. No. 30,298); John Schlicher (Reg. No. 28,343); Ramsey R. Stewart (Reg. No. 38,322); Stanley H. Kim (Reg. No. 40,047); June M. Learn (Reg. No. 31,238)

John Oskorep (Reg. No. 41,234); Michael R. Shevlin (Reg. No. 38,724); Timothy N. Ellis (Reg. No. 41,734); David R. Stevens (Reg. No. 38,626)

Send Correspondence to: Timothy W. Lohse  
Gray Cary Ware & Freidenrich  
400 Hamilton Avenue  
Palo Alto, CA 94301

Direct Telephone Calls to: *(name and telephone number)*

Full name of sole or first inventor

**Janet Marie Wasowicz**

Sole or first inventor's signature

Date

7-9-99

Residence

**Evanston, Illinois**

Citizenship

**U.S.A.**

Post Office Address

**207 Hamilton Street**

**Evanston, IL 60202**

Full name of second inventor, if any

**Art Carl Maerlender**

Second inventor's signature

Date

Residence

**Jericho, Vermont**

Citizenship

**U.S.A.**

Post Office Address

**10 Xen**

**Jericho, VT 05465**

Docket No.  
C0632-991120

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(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
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\_\_\_\_\_  
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\_\_\_\_\_  
(Filing Date)

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(Status)  
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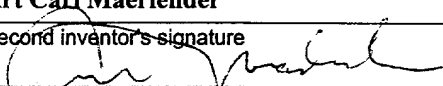
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Barry N. Young (Reg. No. 27,774); Timothy W. Lohse (Reg. No. 35,255); David F. Kleinsmith (Reg. No. 40,050); Stephen E. Reiter (Reg. No. 31,192); Darlene W. Hayes (Reg. No. 33,899); Wayne P. Sobon (Reg. No. 32,438); Robroy R. Fawcett (Reg. No. 35,133); Steven R. Sprinkle (Reg. No. 40,825); William N. Hulsey III (Reg. No. 33,402); Ervin Johnston (Reg. No. 20,190); Terrance A. Meador (Reg. No. 30,298); John Schlicher (Reg. No. 28,343); Ramsey R. Stewart (Reg. No. 38,322); Stanley H. Kim (Reg. No. 40,047); June M. Learn (Reg. No. 31,238); John Oskorep (Reg. No. 41,234); Michael R. Shevlin (Reg. No. 38,724); Timothy N. Ellis (Reg. No. 41,734); David R. Stevens (Reg. No. 38,626)

Send Correspondence to: Timothy W. Lohse  
Gray Cary Ware & Freidenrich  
400 Hamilton Avenue  
Palo Alto, CA 94301

Direct Telephone Calls to: *(name and telephone number)*

Full name of sole or first inventor <b>Janet Marie Wasowicz</b>	
Sole or first inventor's signature	Date
Residence <b>Evanston, Illinois</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>207 Hamilton Street</b>	
<b>Evanston, IL 60202</b>	

Full name of second inventor, if any <b>Art Carl Maerlender</b>	
Second inventor's signature 	Date <b>9/30/88</b>
Residence <b>Jericho, Vermont</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>10 Xen</b>	
<b>Jericho, VT 05465</b>	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
C0632-991120

Serial No.  
Not Yet Assigned

Filing Date  
July 9, 1999

Patent No.

Issue Date

Applicant/

Patentee: Janet Marie Wasowicz et al.

Invention: **DIAGNOSTIC SYSTEM AND METHOD FOR PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING, AND READING SKILL TESTING**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Cognitive Concepts, Inc.

ADDRESS OF CONCERN: 1123 Emerson Street, Evanston, IL 60201

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Janet M. Wasowicz

TITLE OF PERSON SIGNING

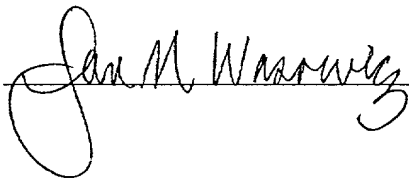
OTHER THAN OWNER:

President

ADDRESS OF PERSON SIGNING:

1123 Emerson Street, Evanston, IL 60201

SIGNATURE:



DATE:

7-8-99



## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Art Carl Maerlender

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: July 8, 1999

## 2. Name and address of receiving party(ies):

Name: Cognitive Concepts, Inc.

Address: 1123 Emerson Street

City: Evanston

State/Prov.: IL

Country: USA

ZIP: 60201

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: July 8, 1999

Patent Application No.

Filing date

B. Patent No.(s)

Additional numbers

☐ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Timothy W. Lohse

Registration No. 35,255

Address: Gray Cary Ware &amp; Freidenrich

400 Hamilton Avenue

City: Palo Alto

State/Prov.: CA

Country: USA

ZIP: 94301

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

## 8. Deposit account number:

07-1896

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Timothy W. Lohse

Name of Person Signing

Timothy W. Lohse

Signature

July 9, 1999

Date

Total number of pages including cover sheet, attachments, and

4

**Assignment of Rights, Title and Interest in Invention**  
**(Multiple inventors; single assignee)**

Docket No.  
C0632-991120

*This is an Assignment of the following rights, title and interest: (check all that apply):*

☒ *United States of America rights, title and interest in the invention*

☒ *Foreign rights, title and interest in the invention*

☐ *United States Patent Application Serial No.* \_\_\_\_\_

*Date of Execution:* \_\_\_\_\_ *Date of Filing:* \_\_\_\_\_

☐ *United States Provisional Patent Application Serial No.* \_\_\_\_\_

☐ *United States Patent No(s).* \_\_\_\_\_

☐ *International (PCT) Patent Application Serial No.* \_\_\_\_\_

☐ *Other (specify)* \_\_\_\_\_

***Title of the Invention***

DIAGNOSTIC SYSTEM AND METHOD FOR PHONOLOGICAL AWARENESS, PHONOLOGICAL PROCESSING, AND READING SKILL TESTING

***Inventors (assignors)***

<i>Name</i>	<i>Address</i>
Janet Marie Wasowicz	207 Hamilton Street, Evanston, IL 60202
Art Carl Maerlender	10 Xen, Jericho, VT 05465

***Assignee***

<i>Name</i>	<i>Address</i>
Cognitive Concepts, Inc.	1123 Emerson Street Evanston, IL 60201

### Assignment of Rights, Title and Interest in Invention (Multiple inventors; single assignee)

**Docket No.**  
**C0632-991120**

*Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");*

*And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;*

*Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;*

*We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;*

*And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;*

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

***Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)***

[illegible]

**Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)**

Docket No.  
C0632-991120

**Notarization**

(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

at \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

State of \_\_\_\_\_

County of \_\_\_\_\_

Before me personally appeared Janet Marie Wasowicz

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

Executed this 18th day of July, in the year 1999

at \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

State of New Hampshire

County of Grafton

Before me personally appeared Art Carl Maerlender

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 8th day of July, in the year 1999

MARY F. BATCHELDER, Notary Public  
My Commission Expires May 16, 2000

\_\_\_\_\_  
(Notary Public)

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_

at \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

State of \_\_\_\_\_

County of \_\_\_\_\_

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\_\_\_\_\_  
(Notary Public)

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City: Evanston

State/Prov.: IL

Country: USA

ZIP: 60201

Additional name(s) & address(es)

☐ Yes ☒ No

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Name of Person Signing

Timothy W. Lohse

Signature

July 9, 1999

Date

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☐ *United States Patent No(s).* \_\_\_\_\_

☐ *International (PCT) Patent Application Serial No.* \_\_\_\_\_

☐ *Other (specify)* \_\_\_\_\_

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***Inventors (assignors)***

<i>Name</i>	<i>Address</i>
Janet Marie Wasowicz	207 Hamilton Street, Evanston, IL 60202
Art Carl Maerlender	10 Xen, Jericho, VT 05465

***Assignee***

<i>Name</i>	<i>Address</i>
Cognitive Concepts, Inc.	1123 Emerson Street Evanston, IL 60201

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And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

Name	Signature/Date
Janet Marie Wasowicz	
Art Carl Maerlender	

**Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)**

Docket No.  
C0632-991120

**Notarization**

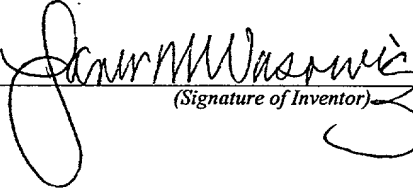
(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

Executed this 8TH day of JULY, in the year 1999  
at EVANSTON

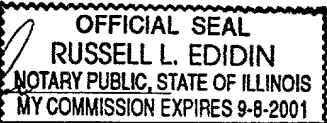
State of IL.

County of COOK

Before me personally appeared Janet Marie Wasowicz  
who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to  
execute the same this 8TH day of JULY, in the year 1999

  
(Signature of Inventor)

  
(Notary Public)



Executed this day of, in the year

at  
State of  
County of  
(Signature of Inventor)

Before me personally appeared Art Carl Maerlender  
who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to  
execute the same this day of, in the year

(Notary Public)

Executed this day of, in the year

at  
State of  
County of  
(Signature of Inventor)

Before me personally appeared  
who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to  
execute the same this day of, in the year

(Notary Public)